

Arizona Supreme Court
Criminal Petition for Review - Special Action

CR-20-0205-PR

LYNN FOX-EMBREY v HON. NEAL/MAIN

Appellate Case Information

Case Filed: 26-Jun-2020
Case Closed:

Dept/Composition

Side 1. LYNN FOX-EMBREY, Petitioner

(Litigant Group) LYNN FOX-EMBREY

- Lynn Fox-Embrey, Real Party in Interest

Attorneys for: Petitioner

Colleen Clase, Esq. (AZ Bar No. 29360)
Jessica Gattuso, Esq. (AZ Bar No. 25492)
Robert L Swinford, Esq. (AZ Bar No. 30651)

Side 2. HON. DELIA NEAL, JUDGE OF THE SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of Pinal, Respondent Judge

(Litigant Group) HON. DELIA NEAL, JUDGE OF THE SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of Pinal

- Hon. Delia Reeves Neal

Side 3. SHAWN MAIN, Real Party in Interest

(Litigant Group) SHAWN MAIN

- Shawn Main, Cross-Petitioner

Attorneys for: Real Party in Interest

Chester R Lockwood, Jr, Esq. (AZ Bar No. 3348)
Cody N Weagant, Esq. (AZ Bar No. 26500)

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Real Party in Interest

Kent P Volkmer, Esq. (AZ Bar No. 25809)
Geraldine L Roll, Esq. (AZ Bar No. 19334)

Side 4. ARIZONA ATTORNEY GENERAL, Amicus Curiae

(Litigant Group) ARIZONA ATTORNEY GENERAL

- Arizona Attorney General's Office

Attorneys for: Amicus Curiae

Mark Brnovich, Esq. (AZ Bar No. 14134)
Lacey Stover Gard, Esq. (AZ Bar No. 22714)
Ginger Jarvis, Esq. (AZ Bar No. 14487)

CASE STATUS

Jun 26, 2020....Pending

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
2 CA 2 CA-SA 19-0045					
⚡ PIN S1100CR201503954			Delia Reeves Neal, Trial Comments: (none)		

32 PROCEEDING ENTRIES

- 26-Jun-2020 FILED: Petitioner's Request for an Extension of Time to File a Petition for Review; Certificate of Service (Petitioner Fox-Embrey)
- 30-Jun-2020 A "Petitioner's Request for an Extension of Time to File a Petition for Review" (Petitioner Fox-Embrey) having been filed on June 26, 2020,

IT IS ORDERED granting a first extension of time to file the petition for review on or before August 7, 2020. No further extensions of time shall be granted absent extraordinary circumstances. This matter is subject to dismissal if the petition for review is not filed by August 7, 2020. (Janet Johnson, Clerk)
- 28-Jul-2020 FILED: Petitioner's Second Request for an Extension of Time to File a Petition for Review; Certificate of Service (Petitioner Fox-Embrey)
- 28-Jul-2020 FILED: Shawn Main's Motion to Supplement Formal Record; Certificate of Service; [STRICKEN and SEALED Per ASC Order filed 7/29/2020] Attachments (Transcripts)(Real Party Main)

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5. 28-Jul-2020 FILED: PinCSC Minute Entry Filed 12/31/15 (Real Party Main)
6. 28-Jul-2020 FILED: PinCSC Order Filed 7/29/16 (Real Party Main)
7. 28-Jul-2020 FILED: Shawn Main's Motion to Seal Transcripts Attached to Motion to Supplement Formal Record; Certificate of Service (Real Party Main)
8. 28-Jul-2020 FILED: (Duplicate) PinCSC Minute Entry Filed 12/31/15 (Real Party Main)
9. 29-Jul-2020 A "Petitioner's Second Request for an Extension of Time to File a Petition for Review" (Petitioner Fox-Embrey) having been filed on July 28, 2020,

IT IS ORDERED granting a second extension of time to file the petition for review on or before AUGUST 20, 2020. (Janet Johnson, Clerk)
10. 29-Jul-2020 The Court is in Receipt of Shawn Main's Motion to Supplement Formal Record and Motion to Seal Transcripts, both filed July 28, 2020. Upon consideration,

IT IS ORDERED denying the Motion to Supplement Formal Record.

IT IS FURTHER ORDERED striking the attachments (transcripts) filed on July 28, 2020 from the record.

IT IS FURTHER ORDERED sealing the stricken transcripts filed on July 28, 2020. (Hon James P. Beene)
11. 13-Aug-2020 FILED: Petitioner's Third Request for an Extension of Time to File a Petition for Review; Certificate of Service (Petitioner Fox-Embrey)
12. 14-Aug-2020 A "Petitioner's Third Request for an Extension of Time to File a Petition for Review" (Petitioner Fox-Embrey) having been filed on August 13, 2020,

IT IS ORDERED granting a third extension of time to file the petition for review on or before September 4, 2020. No further extensions of time shall be granted absent extraordinary circumstances. This matter is subject to dismissal if the petition for review is not filed by September 4, 2020. (William G. Montgomery)
13. 4-Sep-2020 FILED: Petitioner's Motion to Exceed the Word Limit; Certificate of Service (Petitioner Fox-Embrey)
14. 4-Sep-2020 FILED: Amended Petitioner's Motion to Exceed Word Limit (8,617 Word PR Filed); Certificate of Service (Petitioner Fox-Embrey)
15. 4-Sep-2020 FILED: Petition for Review of a Special Action Decision of the Court of Appeals; Certificate of Service; Certificate of Compliance; Opinion (Petitioner Fox-Embrey)
16. 4-Sep-2020 FILED: Appendix 1-22; Certificate of Service (Petitioner Fox-Embrey)
17. 4-Sep-2020 FILED: Appendix 23-25; Certificate of Service (Petitioner Fox-Embrey)
18. 4-Sep-2020 FILED: Appendix 26-27; Certificate of Service (Petitioner Fox-Embrey)
19. 4-Sep-2020 FILED: Appendix 28-40; Certificate of Service (Petitioner Fox-Embrey)
20. 8-Sep-2020 FILED: Record from CofA: Link to Electronic Record
21. 12-Sep-2020 FILED: Real Party Main's Motion for Additional Time to File Cross-Petition; Certificate of Service (Real Party Main)
22. 12-Sep-2020 FILED: Real Party Main's Motion for Leave to Exceed Word Limit Responding to Fox-Embrey's Petition for Review; (Duplicate) Certificate of Service (Real Party Main)
23. 12-Sep-2020 FILED: Real Party Main's Motion for Additional Time to Respond to Fox-Embrey's Petition for Review; (Duplicate) Certificate of Service (Real Party Main)
24. 12-Sep-2020 FILED: PinCSC Order Filed 12/31/2015 (Real Party Main)

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25. 16-Sep-2020 "Petitioner's Motion to Exceed the Word Limit" and an "Amended Petitioner's Motion to Exceed the Word Limit" (Petitioner Fox-Embrey) having been filed on September 4, 2020 with an 8,617 word-count Petition for Review, and the Clerk of the Court having been authorized by the Supreme Court to enter orders granting or denying requests for extended word count,
- IT IS ORDERED granting Petitioner's request to exceed the thirty-five-hundred-word count stated in Rules 1.6(b)(1)(E) and 31.21(g)(2), Arizona Rules of Criminal Procedure by 5,117 words. (Janet Johnson, Clerk)
26. 16-Sep-2020 "Real Party Main's Motion for Leave to Exceed Word Limit Responding to Fox-Embrey's Petition for Review" having been filed, and the Clerk of the Court having been authorized by the Supreme Court to enter orders granting or denying requests for extended word count,
- IT IS ORDERED granting Real Party Main's request to exceed the thirty-five hundred word-count stated in Rules 1.6(b)(1)(E) and 31.21(g)(2), Arizona Rules of Criminal Procedure by no more than 5,117 words. (Janet Johnson, Clerk)
27. 16-Sep-2020 "Real Party Main's Motion for Additional Time to File Cross-Petition" having been filed on September 12, 2020,
- IT IS ORDERED granting a first extension of time to file the cross-petition for review on or before October 21, 2020. No further extensions of time shall be granted absent extraordinary circumstances. (Janet Johnson, Clerk)
28. 16-Sep-2020 "Real Party Main's Motion for Additional Time to Respond to Fox-Embrey's Petition for Review" having been filed on September 12, 2020,
- IT IS ORDERED granting a first extension of time to file the response to petition for review on or before November 18, 2020. No further extensions of time shall be granted absent extraordinary circumstances. (Janet Johnson, Clerk)
29. 24-Sep-2020 FILED: Amicus Brief of the Arizona Attorney General; Certificate of Service; Certificate of Compliance (Amicus Curiae Attorney General)
30. 6-Oct-2020 FILED: Shawn Main's Cross Petition for Review; Certificate of Service; Certificate of Compliance (Real Party Main)
31. 6-Oct-2020 FILED: Indigency Order (Real Party Main)
32. 5-Nov-2020 FILED: Petitioner's Motion to Deny Real Party Main's Cross-Petition for Review; Certificate of Service (Petitioner Fox-Embrey)